

022504

16569 U.S. PTO

PTO/SB/05 (08-03) (AW 10/2003)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	BSI-430US10
First Inventor	Leonard Pinchuk
Title	Expandable Supportive Branched Endoluminal Grafts
Express Mail Label No.	EV351886097US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages  ]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets  ]
- Oath or Declaration [Total Pages  ]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATIONS PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: see attached sheet

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:


<input type="checkbox"/> Continuation	<input checked="" type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No: <u>09 / 657,041</u>
Prior application information		Examiner <u>Michael H. Thaler</u>	Group / Art Unit: <u>3731</u>

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

☒ Insert Customer Number 23122 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Jonathan H. Spadt	Registration No. (Attorney/Agent)	45,122
Signature		Date	2/25/04

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

17513 U.S. PTO  
10/788966

022504

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1060

## Complete if Known

Application Number	Not Yet Known
Filing Date	Concurrently herewith
First Named Inventor	Leonard Pinchuk
Examiner Name	
Art Unit	
Attorney Docket No.	BSI-430US10

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number

18-0350

Deposit  
Account  
Name

RatnerPrestia

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below  
☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	750	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ ) 770

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
11	2	1	0	290	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ ) 290

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ ) 0

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Jonathan H. Spadt	Registration No. Attorney/Agent)	45,122	Telephone	610-407-0700
Signature				Date	2-25-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Leonard Pinchuk

Docket No.

BSI-430US10

Serial No.

Not Yet Known

Filing Date

concurrently herewith

Examiner

Group Art Unit

Invention: EXPANDABLE SUPPORTIVE BRANCHED ENDOLUMINAL GRAFTS

I hereby certify that the following correspondence:

U.S. Divisional Application and its enclosures

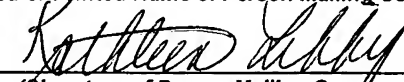
*(Identify type of correspondence)*

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to:

Mail Stop Patent Application,

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on February 25, 2004

Kathleen Libby*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV351886097US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application No.:  
 Filed: Herewith  
 Applicants: Leonard Pinchuk, Yasushi Kato  
                   Rylser Alcime  
 Patent No.: 5,855,598  
 Issued: January 5, 1999  
 For: EXPANDABLE SUPPORTIVE  
 BRANCHED ENDOLUMINAL GRAFTS

OFFER TO SURRENDER IN SUPPORT OF REISSUE

Assistant Commissioner for Patents  
 Box Reissue Application  
 Washington, D.C. 20231

S I R :

The undersigned applicants, Leonard Pinchuk, a citizen of the United States ~~Canada~~ and a resident of Miami, FL, U.S.A.; Rylser Alcime, a citizen of the United States ~~Haiti~~ and a resident of Miami, FL, U.S.A.; and Yasushi Kato, a citizen of Japan, and a resident of Pembroke Pines, FL, U.S.A., request that they be allowed to surrender the above-mentioned Letters Patent and that the Letters Patent be reissued to Corvita Corporation for the same invention upon the original and added claims. Corvita Corporation, on whose behalf, and with whose consent, this application is made, is now sole owner of the Letters Patent, by assignment.

Dated: Aug 18, 2000

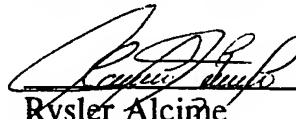
By:



Leonard Pinchuk

Dated: Aug 18, 2000

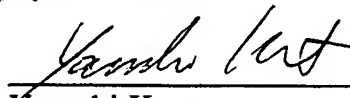
By:



Rylser Alcime

Dated: Aug 18, 2000

By:



Yasushi Kato

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Pinchuk : Art Unit: 3738  
Patent No.: 5,855,598 : Examiner: M. Milano  
Issued: January 5, 1999  
For: EXPANDABLE SUPPORTIVE  
BRANCHED ENDOLUMINAL GRAFTS

**PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT**  
**(37 C.F.R. § 1.324)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

This is a petition for correction of error in nonjoinder of inventors in the above issued patent. It is respectfully requested that the PTO issue a certificate correcting the error. Specifically, it is requested that the inventorship of U.S. Patent No. 5,855,598 be changed from Leonard Pinchuk to Leonard Pinchuk, Rylser Alcime and Yasushi Kato as joint inventors.

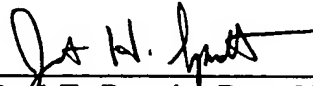
As required by 37 C.F.R. § 1.324(b), enclosed with this petition are:

- (1) a statement from each person being added as an inventor, namely Rylser Alcime and Yasushi Kato, each of which indicates that the error in inventorship occurred without deceptive intention on their part;
- (2) a statement by the original named inventor, namely Leonard Pinchuk, agreeing to the correction of inventorship;
- (3) a check in the amount of \$130.00 for the petition fee set forth in 37 C.F.R. § 1.17(i); and

(4) the written consent of the Assignee, Corvita Corporation.

Applicants request that the inventorship of the above-identified application be changed from Leonard Pinchuk to Leonard Pinchuk, Rysler Alcime and Yasushi Kato as joint inventors.

Respectfully Submitted,



Paul F. Prestia, Reg. No. 23,031

Jonathan H. Spadt, Reg. No. 45,122

Attorneys for Applicants

JHS/nr

Enclosures: Statements of each added inventor (2);  
Statement of original inventor (1);  
\$130 Check;  
Consent of Assignee

Dated: September 5, 2000

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

**EXPRESS MAIL** Label Number EL512197269US:

I hereby certify that this paper is being deposited, under 37 C.F.R. § 1.10 and with sufficient postage, using the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated above and that the deposit is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on: September 5, 2000.



SECRETED

PATENT  
Case 807P028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No. 5,855,598 )  
Issued: January 5, 1999 )  
Leonard Pinchuk )  
EXPANDABLE SUPPORTIVE BRANCHED )  
ENDOLUMINAL GRAFTS )

REQUEST FOR ISSUANCE OF  
A CERTIFICATE OF CORRECTION  
PURSUANT TO RULE 323

Assistant Commissioner for Patents  
Washington, D.C. 20231

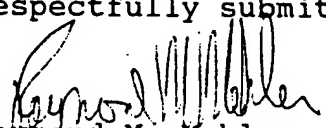
Sir:

The undersigned attorney respectfully requests issuance of a Certificate of Correction to correct typographical errors of minor character. Accompanying the present request is a form PTO 1050 showing these requested changes.

The changes being requested are clearly ones which have occurred in good faith and correction thereof is believed to be in strict compliance with the purpose, scope and intent of Rule 323 of Practice in Patent Cases and 35 U.S.C. § 255.

A check payable to the order of the Commissioner of Patents and Trademarks in the amount of \$100.00 covering the statutory fee for issuance of this requested certificate is enclosed. Favorable consideration and approval of this request is respectfully requested.

Respectfully submitted,

  
Raymond M. Mehler  
Registration No. 26,306

LOCKWOOD, ALEX  
Three First National Plaza, Suite 1700  
Chicago, Illinois 60602  
(312) 782-4860

Dated: June 25, 1999

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 5,855,598

DATED : January 5, 1999

INVENTOR(S) : Leonard Pinchuk

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Cover Page, under "Attorney, Agent, or Firm",  
"Fitz-Gibbon" should read --FitzGibbon--.

Col. 4, line 56, "illustrated in of" should read --illustrated in--.

Col. 11, line 14, "means an" should read --means of an--.

Col. 13, line 45, "damages branched" should read --damages to  
branched--.

Col. 14, line 51, "liner, 122c" should read --liner 122c--.

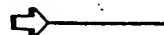
Col. 16, line 40, "with invention" should read --with the  
invention--.

MAILING ADDRESS OF SENDER: Raymond M. Mehler, Esq.

LOCKWOOD, ALEX, FITZGIBBON & CUMMINGS  
Three First National Plaza Suite 1700  
Chicago, Illinois 60602

PATENT NO. 5,855,598

No. of add'l copies  
@ 50¢ per page





17. Other

- a) Copy of Offer to Surrender in Support of Reissue (1 pg.) as filed in parent application;
- b) Copy of Consent of Assignee to Reissue (2 pgs.) as filed in parent application;
- c) Copy of Assignment Recordation Coversheet and Assignment filed in parent application (U.S. Patent No. 5,855,598)(3 pgs.);
- d) Copy of Statement Pursuant to 37 C.F.R. § 1.324(b)(1) by Rysler Alcime, as filed in parent application (1 pg.);
- e) Copy of Statement Pursuant to 37 C.F.R. § 1.324(b)(1) by Yasushi Kato, as filed in parent application (1 pg.);
- f) Copy of Statement Pursuant to 37 C.F.R. § 1.324(b)(1) by Leonard Pinchuk, as filed in parent application (1 pg.);
- g) Copy of Statement of Consent of Assignee to Change of Inventorship Pursuant to 37 C.F.R. § 1.324(b)(3) as filed in the parent application (2 pgs.);
- h) Copy of Petition for Correction of Inventorship of Patent (37 C.F.R. § 1.324) as filed in the parent application (2 pgs.);
- i) Copy of Request for Issuance of A Certificate of Correction Pursuant to Rule 323 as filed in the parent application (7 pgs.);
- j) Copy of Supplemental Reissue Application Declaration by the Inventor as filed in the parent application (2 pgs.);
- k) Copy of Terminal Disclaimer as filed in the parent application (3 pgs.);
- l) Copy of Notice of Recordation of Assignment Document for U.S. Application Serial No. 09/657,041 as received in the parent application (5 pgs.);
- m) Copy of Replacement Sheet of Figures 14-17 as filed in the parent application (1 pg.).